

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
)
VALLIE FRANCIS ZELLER,)
)
Defendant.)

CASE NUMBER 20-MJ-7132

FILED UNDER SEAL

CRIMINAL COMPLAINT

I, Jacob Frechette, Special Agent with the Federal Bureau of Investigations, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

COUNT 1
ATTEMPTED ENTICEMENT OF A MINOR

On or about June 26, 2020, the defendant, in Madison County, Illinois, within the Southern District of Illinois, and elsewhere,

VALLIE FRANCIS ZELLER,

defendant herein, using facilities of interstate commerce, that is a cellphone connected to the Internet, did knowingly attempt to persuade, induce, entice, and coerce an individual who had not attained the age of 18 years, to engage in sexual activity under such circumstances as would constitute a criminal act under 720 ILCS 5/11-1.60(d) (Aggravated Criminal Sexual Abuse), in violation of 18 United States Code, Section 2422(b).

COUNT 2
INTERSTATE TRAVEL WITH INTENT TO ENGAGE
IN ILLICIT SEXUAL CONDUCT

On or about June 26, 2020, the defendant, within the Southern District of Illinois and the Eastern District of Missouri, and elsewhere,

VALLIE FRANCIS ZELLER,

defendant herein, did travel in interstate commerce for the purpose of engaging in any illicit sexual conduct, as defined in Title 18 United States Code, Section 2423(f), with another person, in violation of Title 18, United States Code, Section 2423(b).

COUNT 3
ATTEMPTED PRODUCTION
OF CHILD PORNOGRAPHY

On or about June 26, 2020, the defendant, in Madison County, Illinois, within the Southern District of Illinois, and elsewhere,

VALLIE FRANCIS ZELLER,

defendant herein, did knowingly attempt to employ, use, persuade, induce, entice, and coerce a minor, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which depicts the lascivious display of a minor's genitals, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Section 2251(a) and (e).

AFFIDAVIT

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) assigned to the FBI's Springfield Division, Fairview Heights Resident Agency, in Fairview Heights, Illinois. I

have been employed by the FBI since January 2019. My employment has vested me with the authority to investigate violations of federal law, including Title 18, U.S.C. §§ 2251, 2252, 2252A, 2422, and 2423, all involving the Sexual Exploitation and Other Abuse of Children. During my time at the FBI Academy and while working the violation, I have received training in a variety of investigative and legal matters, including topics of searches, drafting search warrant Affidavits, and Probable Cause. I am presently assigned to the Springfield Violent Crimes Against Children Squad, which focuses on investigating individuals and dismantling organizations responsible for the sexual exploration of children through the manufacture and distribution of child pornography. I am a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws.

2. I have investigated and assisted in the investigation of criminal matters involving the sexual exploitation of children that constituted violations of Title 18, United States Code, Sections 2251, 2252, 2252A, 2422, and 2423. In connection with such investigations, I have served as case agent, have been the affiant for several search warrants and I have conducted interviews of subjects, victims, and witnesses. As a federal agent, I am authorized to investigate and assist in the prosecution of violations of laws of the United States, and to execute search warrants and arrest warrants issued by federal and state courts.

3. The statements contained in this affidavit are based on my personal knowledge as well as on information provided to me by other law enforcement officers. This affidavit is being submitted for the limited purpose of securing a criminal complaint and an arrest warrant, and I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that

VALLIE FRANCIS ZELLER committed violations of Title 18, United States Code, Sections 2251(a), 2251(b), 2422(b), and 2423(b).

4. On June 26 and 27, 2020, agents from the Federal Bureau of Investigation, along with a joint taskforce of various state and federal law enforcement agencies conducted an undercover investigation targeting subjects who were attempting to engage in sexual activity with minors.

5. Starting on approximately June 19, 2020, through June 26, 2020, undercover agents began posting ads on various online social media and dating platforms and applications. The ads were primarily dating profiles showing photos of young-looking male and female adult confidential sources. The ads all state that the person's age is 18 as that is the minimum age required for the websites.

6. A residence in Collinsville, Illinois was obtained to be the FBI Online Covert Employee ("OCE") location that targets were directed to for the purpose of engaging in sexual activity with the fictitious minors from the online profiles.

7. On or about June 23, 2020, a Special Agent with FBI, acting in authorized undercover capacity, was operating a profile on a popular online dating/chatting application. The FBI Online Covert Employee ("OCE") profile displayed an age of eighteen (18) years old. The OCE user profile was "Lexy" and included one picture of a female cooperating witness's face.

8. On June 23, 2020, at approximately 12:28 a.m. a target user with the name "Just Fun", later identified as ZELLER, initiated a message conversation with the OCE profile "Lexy." The target profile showed a picture of an adult male wearing a red shirt, who lives in St. Louis, Missouri. The OCE responded to the message and this excerpt of conversation occurred:

ZELLER: You're absolutely gorgeous I'll give you any kind of fun you wan¹

OCE: Lol. Thx

ZELLER: Welcome what kind of fun are you looking for ???

OCE: What do u think. Lol.

OCE: How old are u. Your pic looks older than 21

ZELLER: Lol like fun In person or fun on here? I am older is that ok??

OCE: Ya I'm talking in person. Lol

OCE: I'm house sitting for my aunt this weekend.

ZELLER: That sounds fun

OCE: How old are u

ZELLER: What if you see me in person and think i to old? Lol

ZELLER: In my 30s lol how old are you??

...

OCE: I dont wanna say on here

9. During the course of the chat, ZELLER and the OCE began chatting by text message. On June 23, 2020, the OCE revealed that she was a minor. The following text exchange occurred:

OCE: I never told you how old I am...

OCE: I'm kinda da nervous to say. Lol

ZELLER: Why are you nervous. You probably won't pick me to come over anyway

ZELLER: Show me more pictures of you??

¹ All cited email exchanges are verbatim except for emoticons being removed.

OCE: I'm almost 16. Is that ok?

ZELLER: If I feel like I can trust you it is

...

ZELLER: Why do you want an older guy??

OCE: That's why I wanted you to know how old I am some people are not into
younger

OCE: Ya I like older. Guys my age are so lame.

10. ZELLER indicated his interest in a sexual encounter, and the following excerpt of
conversation occurred:

ZELLER: Have you had sex with an older guy before?

...

OCE: So kinda embarrassing but I'm a virgin. I have messed around but not had
sex yet

...

ZELLER: What have you done before

OCE: Hands and oral

ZELLER: Okay then at least if you chicken out on having sex I know I'll still get oral

....

OCE: I loved oral. Lol. But I'm down to try sex. Just kinda afraid it will hurt the first time

...

ZELLER: It will hurt a little at first sorry. But I'll lick your pussy and get you wetter than it's ever been so it will hurt less.

...

ZELLER: Lol Im happy with just us both doing oral and fucking you hope you can handle being fucked over and over

11. On June 26, 2020, at approximately 5:18 p.m., ZELLER states he is in St. Louis.

12. On June 26, 2020, ZELLER requests the following video from the OCE:

ZELLER: Use good lighting and a close up and show me a video of that little pussy. Use your fingers spread it open. Let me see if I think I'd even be able to fit my dick in you

13. On the evening of June 26, 2020, at approximately 9:30 p.m., ZELLER arrived at the OCE residence and interacted with the confidential source outside while ZELLER remained in his vehicle. ZELLER then attempted to flee in his vehicle, however was apprehended by law enforcement and taken into custody. ZELLER was advised of his constitutional rights and provided a recorded statement to law enforcement. ZELLER acknowledged that he began chatting with OCE and thought she was 16 and knew she was underage. ZELLER stated he traveled to the OCE residence in Collinsville, Illinois, from Saint Louis, Missouri, where he lives. ZELLER stated his intention was to have sexual intercourse or oral sex with the OCE. ZELLER requested photo and video of the OCE displaying her genitals. A cellular phone was seized from ZELLER's person.

14. Based on the foregoing, I submit that there is probable cause to believe on and between June 23 and June 26, 2020, VALLIE FRANCIS ZELLER, used a facility and means of interstate commerce, specifically his cellular telephone, and knowingly attempted to persuade, induce, and entice an individual who had not attained the age of 18 years, to engage in a sexual activity for which a person could be charged in violation of 18 U.S.C. 2422(b); traveled in interstate commerce for the purpose of engaging in any illicit sexual conduct, as defined in Title 18 United States Code, Section 2423(f), with another person, in violation of Title 18, United States Code, Section 2423(b); and knowingly attempted to employ, use, persuade, induce, entice, and coerce a minor, herein identified as OCE, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which depicts the lascivious display of a minor's genitals, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, all in violation of Title 18, United States Code, Section 2251(a) and (e).



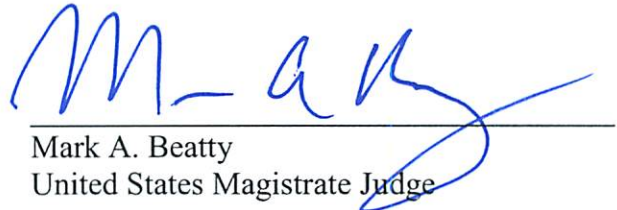
Jacob Frechette
Special Agent, Federal Bureau of Investigation

STEVEN D. WEINHOFET
United States Attorney



Alexandria M. Burns
Assistant United States Attorney

Subscribed and sworn to before me this 27^m day of June, 2020, within the Southern District of Illinois.


Mark A. Beatty
United States Magistrate Judge